

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re application of:

Applicant: Nur Macroprinters Ltd.

Mark: **NUR**

Serial No.: 75/638992

Appeal Filed: April 18, 2002

Attorney Dkt. No.: 970027-12-03

BOX TTAB – NO FEE

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

SUPPLEMENTAL BRIEF ON APPEAL -INDEX

I. RESPONSE TO NEW ISSUE OF THE EXAMINER

and

**REQUEST TO REMAND APPLICATION TO THE EXAMINER
FOR CONSIDERATION OF AMENDMENT OF IDENTIFICATION
OF GOODS -----1-13**

1. New issue presented by examiner -----1-2
2. Appellant's overall response to new issue -----2-3
3. Appellant's goods **do not meet** Registrant's dispensers in
market place; Dispensers of Registrant **do not "fit"** Appellant's
products-----3-13
 - 3.1. The difference between the respective goods -----4-5
 - 3.2. Suggestion for Amendment of Identification of Goods
-----5-6
 - 3.3. Additional restriction suggestion -----6
 - 3.4. Extremely sophisticated buyers, following complex
purchase process -----7-8
 - 3.5. No Actual Confusion -----9-10
 - 3.6. Different meaning of the respective marks -----10-13

II. CONCLUSION -----13-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TABLE OF CASES

1. *Apollo Group Inc. vs. International Foundation for Retirement Education* Opposition No. 114515 to application No. 75/368999 filed on Oct. 6, 1997 TTAB-----12
2. *In re B.V.D. Licensing Corp vs. Body Action Design, Inc.* 846 F.2d 727, 6 U.S.P.Q.2d 1719 (Fed. Cir. 1988)-----12
3. *In re DIGIRAD Corp.*, 45 U.S.P.Q.2d 1841 (TTAB 1998)-----12
4. *In Re General Electric Company* 49 C.C.P.A. 1186; 304 F.2d 688; 1962 CCPA LEXIS 241; 134 U.S.P.Q. (BNA) 190-----12
5. *Litton Sys., Inc. v. Whirlpool Corp.*, 221 USPQ 97, 112 (Fed. Cir. 1984)-----7-8
6. *National Distillers and Chemical Corporation, appellant, v. William Grant & Sons, inc.* 505 F.2d 719; 1974 CCPA LEXIS 110; 184 U.S.P.Q. (BNA) 34 -----12
7. *In re Nec Electronics, Inc. v. New England Circuit Sales, Inc.*, 722 F.Supp. 861 (US Dist. 1989); 13 U.S.P.Q.2D (BNA) 1058-----11
8. *Planet Hollywood (Region IV), Inc. vs. Hollywood Casino Corp* 80 F. Supp. 2d 815, 883 (N.D. III. 1999)-----9
9. *In re Reach Electronics, Inc.* (TTAB, 1972), 175 U.S.P.Q. (BNA) 734-----12
10. *In re Software Design, Inc.*, 220 U.S.P.Q. (BNA) 662 (TTAB 1983)-----7-8; 11
11. *In re Stouffer Corp. V. Health Valley Natural Foods, Inc.* 1 USPQ2d 1900 (TTAB 1986)-----7-8
12. *In re Sun-Maid Raisin Growers of California, appellant, v. Sunaid Food Products, Inc., Appellee*, 356 F.2d 467; 1966 U.S. App. LEXIS 7205; 149 U.S.P.Q. (BNA) 238, -----12-13

TABLE OF EXHIBITS ATTACHED TO BRIEF

Exhibit A: A photograph of Appellant's product (Section 3.1, page 4)

Exhibit B: Copies of pertinent search results submitted by the Examiner in her response dated September 27, 2002 (refereed to in footnote No. 3, page 3).

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re application of:

Applicant: Nur Macroprinters Ltd.

Mark: **NUR**

Serial No.: 75/638992

Appeal Filed: April 18, 2002

Attorney Dkt. No.: 970027-12-03

BOX TTAB – NO FEE

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3513

SUPPLEMENTAL BRIEF ON APPEAL

This Supplemental Brief is submitted in accordance with the notice of the Trademark Trial and Appeal Board (TTAB) dated October 2, 2002, in response to the final refusal dated September 27, 2002 of the Examining Attorney Ms. Kelly A. Choe, of Law Office 113, to register the mark “NUR” based on Section 2(d) of the Trademark Act.

Appellant requests that the TTAB reverse the refusal as Appellant’s mark is properly registerable over the cited mark, for the reasons set forth below.

Alternatively, Appellant requests to remand the application to the Examiner in accordance with TBMP §1205, to amend the identification of goods (as detailed in

Section 4, page 5 below), and instruct the Examining Attorney, to approve the application for publication based on the modified identification of goods.

I. RESPONSE TO NEW ISSUE OF THE EXAMINER

and

REQUEST TO REMAND APPLICATION TO THE EXAMINER FOR
CONSIDERATION OF AMENDMENT OF IDENTIFICATION OF GOODS

1. In the new Office Action, dated September 27, 2002, the Examiner now contends, as a basis for the 2(d) conclusion that confusion is likely since: “the [respective] [te] goods are highly related in that the Registrant’s “ink dispensers” and the Appellant’s various goods **are manufactured and/or distributed by the same manufacturer/company**”.
2. While it is true that ink dispensers (of Registrant) and printing machines, structural parts and mechanical fittings thereof as well as printing plates may be manufactured and/or distributed by the same company – ink dispensers of Registrant¹ are not compatible and have nothing to do with Appellant’s products. Appellant’s products are unique patented high end products. Appellant is the sole manufacturer of the products and the only seller and sole U.S. distributor (utilizing distinct sales channels for its products only) of its printing machines and their complementing products and disposable hardware. Consequently, Registrant’s dispensers and Appellant’s products are neither

¹ (or dispensers of others, for that matter)

physically fitting, proper or compatible ("fit"); nor do the respective products meet in the market place. Consequently, confusion is not likely.

3. This conclusion is based on the nature of Appellant's products with no reliance on extrinsic know how and information about the products of Registrant²:

- Appellant's goods do not meet Registrant's dispensers in the market place – because **Appellant's products** are (as is widely common in this high end printing industry) sold via direct, exclusive and dedicated channels of distribution by the manufacturer.
- **Appellant's products** do not allow utilization of third parties' ink dispensers. Thus dispensers of Registrant do not fit Appellant's products.

The examples of the Examiner, do not show anything to the contrary³.

² Appellant agrees, and seeks (in the alternative) remanding to the examiner, identification of the product to reflect the fact that its products are discrete.

³ The examples presented by the Examiner (see **Exhibit B**) (e.g. from <http://buyinkjetcartridges.com/refills/epson2.htm>) indeed show that Epson provides refill ink systems and kits for use with Epson printers, but these do not fit to Appellant's printing machines. Another example from the results provided by the Examiner is that of Canon at (<http://www.usa.canon.com>). This example demonstrates that Canon provides various office products, including printers and dispensers. Nonetheless, these examples merely demonstrate that where standards do not exist each party builds its own matching products. None of the companies in the examples manufacture products compatible with Appellant's unique machines.

- 3.1. Since the respective products do not meet in the market place, nor do they fit, confusion is not likely. ***The difference between the respective goods*** further supports the conclusion that confusion is not likely.

Class 16 “ink dispensers for use in printers” of Registrant’s are very different from the Appellant’s industrial printing machines (see photograph as Exhibit A) in Classes 7 and 9, corresponding software in class 7, substrate, plates and ink in classes 16, 24, 7 and 2 and other complementing products manufactured by the Appellant specifically for its machines.

Appellant’s machines are “fed with ink”, from bottles and tanks of ink, directly into the built in dispensers. Dispensers of third parties are not used to fill ink, nor can they be used to replace the built in component. This negates any likelihood of confusion with Registrant’s products.

- Appellant’s Special Massive industrial printing machines [rephrased] (Classes 7 and 9) – sold via direct sales, are **not likely to be confused** with Registrant’s “Ink dispensers for use in printers” (Class 16) sold in different channels, for different machines.
- Appellant’s “Structural parts and mechanical fittings thereof” for the aforementioned machines (Class 7) are very different from Registrant’s “Ink dispensers for use in printers” (Class 16).

This conclusion is unavoidable considering the fact that the spare parts and fittings, are designed ‘one on one’ solely for Appellant’s machines and do not fit other printers, nor are they manufactured by third parties.

- Appellant’s “Computer software” for use in the Special Massive industrial printing machines sold as a unit (Class 7) sold directly to the buyers, are **not likely to be confused** with Registrant’s Ink dispensers (Class 16). This conclusion is unavoidable considering the fact that the software is suitable for Appellant’s products only, and is dedicated for the operation of Appellant’s machines only.

- Appellant's "Metal substrates for use as printing plates" for use in connection with Appellant's printers (Class 7), Printing substrates [rephrased] (Class 16 and Class 24) sold under the same dedicated channels (direct distribution), are **not likely to be confused** with Registrant's Ink dispensers [rephrased] (Class 16).

This conclusion is unavoidable considering the fact that the plates and substrates are suitable for Appellant's products only.

- Appellant's "Printers Ink" for the aforementioned massive printing machines (Class 2), are **not likely to be confused** with Registrant's "Ink dispensers for use in printers" (Class 16) sold in different channels. This is supported by the fact that Appellant's machines require special ink that conforms to the specifications of Appellant's machine. The ink for Appellant's machines is purchased in huge containers (tanks or gallons). Such ink does not require "dispensers" but rather simply the ink itself to be 'flowed' into the machines.

3.2. Suggestion for Amendment of Identification of Goods

Appellant agrees, and requests in the alternative (in case such amendment is necessary), to amend the identification of goods in the application to include the aforementioned facts in the body of the identification as follows:

Class 16: At the end of the identification of goods, after the words "**flags made of paper in the field of wide and super-wide format printing**" please add --**for use in connection with the goods identified in the identification of goods of classes 7 and 9--**

Class 24: At the end of the identification of goods, after the words **“made of canvas for applying printing inks in the field of wide and super-wide format printing”** please add **--for use in connection with the goods identified in the identification of goods of classes 7 and 9--**

Class 2: After the words **“Printers ink”** please add **--for use in connection with the goods identified in the identification of goods of classes 7 and 9--**

The amended identification of goods will read in their entirety as follows:

“Printing substrates made of natural, man-made and proprietary papers, paperboards, cardboards, plastic sheets, flags made of paper in the field of wide and super-wide format printing for use in connection with the goods identified in the identification of goods of classes 7 and 9; in international class 16”.

“Printing substrates made of natural, man-made and proprietary fabrics and flags made of canvas for applying printing inks in the field of wide and super-wide format printing for use in connection with the goods identified in the identification of goods of classes 7 and 9; in international class 24”

“Printers ink for use in connection with the goods identified in the identification of goods of classes 7 and 9; in international class 2”

3.3. ***Suggestion for further Amendment of Identification of Goods***

Should the Examiner deem necessary, the Appellant is further willing to amend the identification of goods to reflect the channels of trade as described herein.

3.4. Since the respective products do not meet in the market place, nor do they fit, confusion is not likely. *Extremely sophisticated buyers, following complex purchase process*, further supports the conclusion that confusion is not likely

- Special buyers in special profession. Appellant's purchasers produce extremely large printings in the size and nature seen on huge billboard and Times Square. They need very unique printers that can perform such huge printings in high quality, thus purchase printing machines worth hundreds of thousands of dollars. These purchasers of industrial printers are sophisticated, specially trained people working in media organizations, photo labs, pre-press photo bureaus and similar unique professions. The buyers purchase **based on specifications and performance, through Appellant's dedicated channels.**
- Careful Purchase Pattern. The purchase of unique massive printing machines for commercial and industrial uses require a careful and highly considered purchase pattern. The case law is explicit with regards to the purchasing environment. Where the decision is made by a sophisticated purchaser and concerns a product whose purchase is made after careful examination of the product, it may be sufficient to negate a likelihood of confusion even between marks of great similarity⁴. This is clearly the case

⁴ See for example *Stouffer Corp. V. Health Valley Natural Foods, Inc.* 1 USPQ2d 1900 (TTAB 1986) and *In re Software Design, Inc.* 220 USPQ (BNA) 662 (TTAB 1983) and *Litton Sys., Inc. v. Whirlpool*

here, where the products neither fit nor meet in the market place: The purchase process (and maintenance thereafter), is intimate and carefully tailored. Hasty or uneducated “spur of the moment” decisions do not occur.

How can confusion be likely for printing machines products ordered specially from the Appellant? The answer becomes even clearer when considering the fact that the buyers and users must undergo special training in their use of the machines and learn to refill ink from the tanks. This process and intimate tie between Appellant and his purchasers warrants that the purchasers are highly sophisticated and knowledgeable about the products. It is not imaginable that they can be confused by Registrant’s dispenser in such purchase circumstances.

- Expensive Products. The fact that Appellant’s products are sold at prices starting at **hundreds of thousands of dollars** and require maintenance service arrangements for a fee, is yet a further factor in deciding that the purchase is not taken lightly and is well considered. Yet another factor in supporting the conclusion that confusion is not likely.

Corp., 221 USPQ 97, 112 (Fed. Cir. 1984). These cases support that even a one letter difference between marks can be sufficient for the marks not to be considered confusingly similar.

3.5. Since the respective products do not meet in the market place, nor do they fit, confusion is not likely. ***No Actual Confusion*** - further supports the conclusion that confusion is not likely.

Because the markets are so different, Appellant now in the market for almost 10 years, did not find out that Registrant entered the market some 6 years ago to sell dispensers. This difference also explains how that in the subsequent 6 long years of co-existence, Appellant encountered not a single occurrence of actual confusion.

The fact that the products do not meet in the market place, nor are they compatible, explains how Appellant at least 3 years **before** Registrant, had not encounter a single case of actual confusion when Registrant reached the market place⁵ or in the following full 6 years of co-existence. It should be noted, that Appellant was not even aware of the existence of the Registrant, until 1999, when the USPTO issued an Office Action that cited Registrant's mark⁶. In such circumstances, different channels, sophisticated buyers and such an extended period of lack of actual confusion (see *McCarthy on Trademarks and Unfair Competition*⁷ and *In re Planet Hollywood (Region IV), Inc. vs. Hollywood Casino Corp.*⁸), the courts place a great weight on the lack of actual confusion in the past as evidence of no likelihood of confusion in the future.

⁵ Based on claimed dates of first use as presented at the USPTO records – the date of first use of the Registrant's mark is 1996, and the date of first use of the Appellant's mark is 1993.

⁶ As stated in Appellant's declaration attached to the response to an Office Action dated April 3, 2002.

⁷ *McCarthy on Trademarks and Unfair Competition*, Volume 3, §23:18, pages 23-63, 64.

⁸ *Planet Hollywood (Region IV), Inc. vs. Hollywood Casino Corp* 80 F. Supp. 2d 815, 883 (N.D. III. 1999). The court deemed it very significant that over this extended period Planet Hollywood has been unable to muster any evidence of actual confusion.

Although the factor of no actual confusion is not determinative, the accumulation of factors as detailed above justify giving these factors the significant probative weight in favor of Appellant's mark, and lead to the conclusion that confusion is unlikely.

- 3.6. Since the respective products do not meet in the market place, nor do they fit, confusion is not likely. *Different meaning of the respective marks* - further supports the conclusion that confusion is not likely.

The meaning and connotation of the marks differ significantly. Coupled with the market realities and balance of the Du-Pont factors warrant that confusion will not occur.

Taken the "non-meeting in market place" and the fact that the respective products do not coincide, the differences between the marks are sufficient to warrant that even remote likelihood of confusion be negated.

- Appellant's mark "NUR" (noun; pronounced 'Knur') means "a hard knot in wood; also, a hard knob of wood used by boys in playing hockey", and connotes: HARD... Playful WOOD.
- Registrant's mark "NER" (adverb; pronounced 'Nerre') means "nearer" - "close in time, space, position, or degree", "Never the nearer" or "father of Abner in the Bible", slang for "interjection an exclamation of ridicule, suggesting that what has just been said or done was stupid". Variety of meanings and connotation, with nothing to do with Appellant's name.

Classifying the difference between the marks as a "mere one (1) letter difference" and no difference in pronunciation is wrong, as the meaning and connotation differ significantly. Case law, supports this conclusion:

Quite analogous to our case are the facts and findings of *Nec Electronics, Inc. v. New England Circuit Sales, Inc.*⁹ the court held that "NECS" distribution business for sales of chips is not confusingly similar to the mark "NEC" for chips (manufactured and sold by NEC electronics):

"the parties are in the same industry, seek to sell to some of the same organizations and advertise in some of the same media. However, the nature of the products they sell, the different individuals they deal with, the sophistication of prospective customers [emphasis supplied], and the nature of their self-promotion all weigh against a finding that potential purchasers are likely to confuse [the marks]".

Of particular interest is the analysis concerning the marks "DOX" and "DOC'S" in the ruling set forth in *re Software Design, Inc.*¹⁰ Both marks were for services in the computer industry and were phonetically identical. However, since the services were highly sophisticated, technical and relatively expensive, they were found likely to be purchased only with care and deliberation after investigation. The phonetic similarity was found not to be significant since the goods were not likely to be orally requested in retail stores. The court held:

⁹ *Nec Electronics, Inc. v. New England Circuit Sales, Inc.*, 722 F.Supp. 861 (US Dist. 1989); 13 U.S.P.Q.2D (BNA) 1058.

¹⁰ *In re Software Design, Inc.*, 220 U.S.P.Q. (BNA) 662 (TTAB 1983).

“This is a close case. However, for the reasons indicated above, we are of the opinion that the cumulative differences between the respective marks and services of applicant and registrant, considered in light of the nature of those services, are sufficient to obviate any reasonable likelihood of confusion.”

In the case at hand, the marks are not identical in appearance or sound. Under the analysis of this case and given the “cumulative differences” plus the sophistication of the purchasers, the subject marks are even more compelling to find that confusion is not likely.

Other cases, with real relevance to the pattern of facts at hand, also support the conclusion sought¹¹.

¹¹ *In re National Distillers and Chemical Corporation, appellant, v. William Grant & Sons, inc., appellee*, 505 F.2d 719; 1974 CCPA LEXIS 110; 184 U.S.P.Q. (BNA) 34: it was held that one letter (“V”) difference, was enough to warrant no likelihood of confusion between the marks “DUET” for prepared cocktails marketed in cans and “DUVET” for liqueur. The court held that “Regardless of how DUVET might be pronounced, we do not think purchasers would confuse it with DUET. In their substance being that the familiar is readily distinguishable from the unfamiliar. DUET is a familiar word; DUVET is not. DUET has clear and obvious meaning; DUVET does not. Clearly, the goods on which the marks are used, or presumed to be used, are not such as to contribute to likelihood of confusion, either of the goods or their origin.” *In re B.V.D. Licensing Corp vs. Body Action Design, Inc.* 846 F.2d 727, 6 U.S.P.Q.2d 1719 (Fed. Cir. 1988), the marks B.V.D. and B.A.D., both for clothing, were held not confusingly similar, although they had only one letter difference (“V” versus “A”), as consumers will likely react to the junior user’s mark as the common word BAD and not a simulation or suggestion of the mark B.V.D. Also see *In re Reach Electronics, Inc.* (TTAB, 1972), 175 U.S.P.Q. (BNA) 734, where the one letter (“H”) difference between “REAC” and “REACH” and the fact that both the application and cited registration included “power supplies” (both in the electronics field) in the identifications of goods, resulted in a “non-confusion” decision in an appeal proceeding. See also *In re DIGIRAD Corp.*, 45 U.S.P.Q.2d 1841 (TTAB 1998). No likelihood of confusion between DIGIRAY for electronic X-ray system and DIGIRAD for radiation sensors, because knowledgeable buyers will be very aware of the different connotation of RAY and RAD. See also *In re General Electric Company* 49 C.C.P.A. 1186; 304 F.2d 688; 1962 CCPA LEXIS 241; 134 U.S.P.Q. (BNA) 190 in which the court held that purchasers of electrical building wires would quickly and easily differentiate between “VULCAN” and “VULKENE”; and *Apollo Group Inc. vs. International Foundation for Retirement Education* Opposition No. 114515 to application No. 75/368999 filed on Oct. 6, 1997 TTAB. In this opposition the marks “CRC” and “CRPC” both for educational services were found not confusingly similar due to sophistication and professionalism of purchasers and exercise of great degree of care in choosing a course of study leading to a certain certification; and *In re Sun-Maid Raisin Growers of California, appellant, v. Sunaid Food Products, Inc., Appellee*, 356 F.2d 467; 1966 U.S. App. LEXIS 7205; 149 U.S.P.Q. (BNA) 238, February 10, 1966. In this case, the

The foregoing and the cases detailed herein support Appellant's assertion that even a one letter difference between marks can be sufficient for the marks not to be considered confusingly similar, taken the fact that the products do not meet in the market place, and it is sophisticated patterns of purchase and specialized customers we are dealing with.

II. CONCLUSION

The specific environment in which Appellant trades, its direct exclusive channels of trade and unique nature of its products warrant that confusion will not occur. In addition, lack of confusion for a very extended period, and difference in the marks and their connotation warrant that confusion is not likely.

Appellant demonstrated the nature of sophistication of the purchasers of its goods, the careful and complex purchase process that call for personal, intimate and tailored contact with the purchasers, the fact that Appellant's products are sold at prices starting at hundreds of thousands of dollars and require maintenance service arrangements for a fee, together with the specifications of Appellant's products that requires its own complementing products, and in addition, the fact that no actual confusion exists for the extended 6 years period in which the marks co-exist and the seniority of Appellant's mark in the market place, the different meaning and pronunciation of the marks, all together, lead to the conclusion that confusion is not likely.

mark "SUN-MAID" was used for packing and marketing of raisins whereas "SUN-MAID" mark was used for a large variety of fruit products. The goods of both parties are normally sold in food stores and purchased by the same consumers, usually grocery-shopping housewives, however, the primary products were not in direct competition. The court held that Sunaid's products were not likely to be mistaken for or confused with Sun-Maid's products.

This is true for each and every product for which registration is sought, when each is examined individually. Appellant respectfully requested to amend the identification of goods to reflect the uniqueness of its products as depicted in Section 4, page 5 above.

In view of the foregoing, Appellant respectfully requests:

- (i) That the Honorable Trademark Trial and Appeal Board reverse the decision of the Examining Attorney refusing registration for all of the products of Applicant.
- (ii) For some of the products of Appellant; and/or
- (iii) Remand the application to the Examiner, instructing the Examiner to consider Appellant's request for amendment of the identification of goods in line with the assertions contained thereafter approving the application for publication and registration on the Principal Register .

Dated: December 2, 2002

Respectfully submitted,

By: Tally Eitan

Avital (Tally) Eitan

California State Bar No. 129,566

Eitan, Pearl, Latzer & Cohen-Zedek

Attorneys for Applicant/Appellant

7 Shenkar Street

Herzelia, Israel 46725

C/O

LANDON & STARK ASSOCIATES, INC.

One Crystal Park - Suite 210

2011 Crystal Drive

Arlington, VA 22202-3709

USA

EXHIBIT A



Buy Ink Jet Cartridges.

EXHIBIT B

Refill Kits

Bulk Ink

InkJet Cartridges

Media/Paper

If your browser can not display tables please [EMAIL](#) your order to us.

Epson Refill Kits

Refill Ink Systems™ for Stylus Photo/700/EX Printers



These new Epson printers are capable of producing prints of photographic quality. But printing a photo consumes a large quantity of ink. Since the S020110 color cartridge yields only about 23 8 1/2 x 11 prints, the cost of ink cartridges can quickly exceed the original cost of the printer.

These Repeat-O-Type Refill Ink Systems™ turn your Epson ink cartridges into semi-permanent parts of your printer. By refilling you eliminate the need to buy a whole cartridge when all you need is ink.

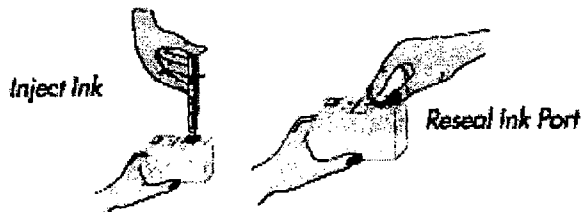
Even greater savings are realized, because refilling eliminates the need to throw away cartridges with four of the five ink colors not yet depleted.

Repeat-O-Type's inks are color matched to the original Epson inks and have been tested on a wide variety of papers and media for optimal sharpness and clarity. At less than half the price of new cartridges, Repeat-O-Type Refill Ink Systems™ offer an economical solution to your printing needs.

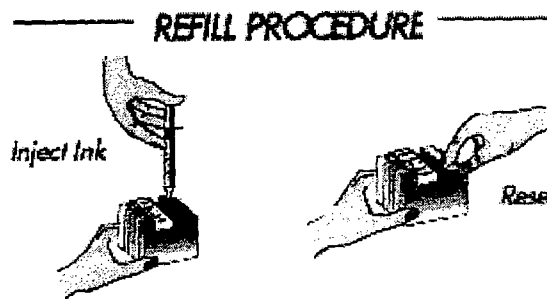
Models:
Cartridges

Epson Stylus Photo/700/EX Printers
Epson S020093, S020110

REFILL PROCEDURE



| Black Refill Ink System | | | | |
|--|------------|--|---------|--|
| Item No. | For Use In | Description | Refills | Order/Price |
| ESC8RBK | S020093 | Stylus Color 400/500/600/Photo/700/EX | 5 | \$28.45 <input type="text" value="1"/> |
| | S020108 | Stylus Color 800/1520 | 3 | <input type="button" value="Add"/> |
| ESC8RBK Kit Contains: 1 Black Ink Bottle (30ml) * 1 Ink Dispenser * 5 Ink Port Seals, Cotton Wipe * Complete Instructions | | | | |



| 5-Color Photo Refill Ink System | | | | |
|---|------------|---------------------|---------|--|
| Item No. | For Use In | Description | Refills | Order/Price |
| ESPHRC | S020110 | Stylus Photo/700/EX | 6 | \$33.60 <input type="text" value="1"/> |
| <div>Add</div> | | | | |
| ESPHRC Kit Contains: 4 - 15ml Bottles of Ink, (Cyan, Light Cyan, Magenta, Light Magenta), 1 - 25ml Bottle of Ink (Yellow) * 5 Ink Dispensers * 1 Bottle 15ml Penetrating Solution. Cartridge Label * 30 Ink Port Seals * Cotton Wipe * Complete Instructions. | | | | |

Display Cart



BuyBulkInk.com
PO Box 1292
Dover, DE. 19904

[Home](#) | [Refill Kits](#) | [Bulk Inks](#) | [InkJet Cartridges](#)
[Paper Media](#) | [Accessories](#) | [Jetpak Mailers](#)

BuyBulkInk.com, BuyRefillKits.com & BuyInkjetCartridges.com
Copyright 1999-2001

All questions should be emailed to

atlas@dvol.com



CANON

PRODUCTS

SUPPORT

WHERE TO BUY

ABOUT CANON

Products

[Home](#) > [Products](#) > Office Products



Office Products

CANON PRODUCTS

Office Products

Calculators

Consumables/Print Media

Copiers

Document Imaging Systems

Facsimile

Micrographics

Multifunction Products

Presentation Products

Printers

Scanners

Software and Enabling Technologies

Industrial Products

Consumer Products

Calculators



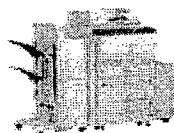
Canon offers a wide range of ergonomically designed calculators with up to 14 digit displays, multiple memories and high-speed, whisper-quiet Bubble Jet printing and bright GloView displays.

Consumables/Print Media



Look to Canon for reliable, genuine toner, parts, and supplies, that help you maximize the benefits of owning a Canon copier.

Copiers



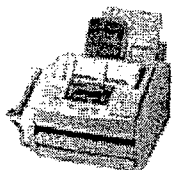
Canon offers a full line of copiers ranging from desktop PC Copiers to high-speed digital multifunction systems with both color and black-and-white output. Versatile and productive, Canon copiers meet the demands of any size business.

Document Imaging Systems



Canon's innovative and user-friendly image filing systems products make image and information management an easy task in a wide variety of business settings.

Facsimile



Canon's advanced imaging and communications technologies provide the basis for the development of innovative facsimile products that increase the speed and efficiency of business communications.

Micrographics



A full range of Canon scanners, filmers, reader-printers, and digital storage systems help businesses store and retrieve millions of pages of archived documents.

Check out this section for product promotions

Multifunction Products

Canon's multifunction product line-up includes a full range of products with a combination of copy, print, fax and/or scan functionality. Whatever your need, Canon is sure to have a

solution.



Presentation Products



Canon U.S.A., Inc. manufactures and distributes a full line of high quality video communication products. All Canon video digital camcorders, communication camera systems and projectors are compact, durable, versatile and easy to use.



Printers

Innovative Canon technology has changed the way images and text are put to paper. Today, Canon is leveraging its heritage in the printer business and its branding expertise to extend this market presence.



Scanners

Innovative Canon technology makes it easy to quickly scan documents and images right into the user's computer.



Software and Enabling Technologies

Canon's networked office devices were designed to take full advantage of compelling software and enabling technologies in order to meet specific customer needs. These solutions were developed in-house or from noted 3rd party partners.



[Downloads](#) [Safety Info](#) [Careers](#) [Site Map](#) [Contact Us](#)

© 2002 Canon U.S.A., Inc. All rights reserved. Reproduction in whole or in part without permission is prohibited.

[Privacy Statement](#) | [Terms of Use](#)



Nachman Cohen-Zedek, LL.B., J.D.
 A. Tally Eitan, B.Sc., J.D.*
 Zeev Pearl, B.Sc., M.Sc., LL.B.
 Doron Latzer, LL.B.*
 Mark S. Cohen, B.A., M.S., J.D.*
 Joel M. Stein, B.A., M.B.A., J.D.*
 Iris Pappo, LL.B.
 Kalia Klein, LL.B., LL.M.
 Maty Barzani, B.Sc., M.B.A., LL.B.
 Ora Rapaport-Iwanir, M.Pharm., LL.B.
 Daniel Bustanai, B.Sc., LL.B.
 Itamar Rosen, LL.B., M.B.A.
 Mirella Moshe, B.A., LL.B.
 Shalhevet Moor-Gottlieb, LL.B., LL.M.
 Dor Cohen-Zedek, B.A., LL.B.*
 Shirley Gal Zaken, B.A., LL.B.
 Linda Reiss Wolicki, B.A., J.D.*
 Ohad Mayblum, B.A., LL.B.
 Yosi Barkai, B.Sc., LL.B.
 Hili Feferman, LL.B.
 Haleli Barath, LL.B.
 Irad Reken, B.A., LL.B.
 Eli D. Clark, B.A., J.D.
 Hila Laufer, LL.B.
 Oded Rehan, LL.B.
 Harni Rosenzweig, B.A., LL.B.
 Tal Frieman, LL.B.
 Netta Nashilevich, LL.B.
 Avihi Schieber, LL.B.
 Ran Hai, LL.B.
 Yaffa Elishakov, LL.B.
 Sara Gillis, B.A., LL.B.*

Patent Attorneys:

Lihu Kolton, B.Sc., M.Sc., Ph.D.
 Miriam Paton, B.Sc., M.Sc.
 Adele Marcus, B.A.
 Yael Webb, B.Sc., M.A., Ph.D.
 Naomi Liver, B.Sc., M.Sc., M.B.A.
 Osnat Bar-Peled, Ph.D.

Senior Counsel:

Ken Lalo, LL.B., M.C.L.*
 Dekel Shilo, B.Sc., LL.B.*

Admitted in Other Jurisdictions:

Vladimir Sherman, B.E.E., J.D.
 Caleb Pollack, B.S.E., J.D.
 Guy Yonay, B.E.E., J.D.

Technology Specialists:

Irit Gordon, Ph.D.
 Michal Fisher, B.Sc., M.Sc., Ph.D.

Shlomo Cohen-Zedek (1906-1997)
 Dr. Erich Rapaport (1928-2001)

* also admitted in other jurisdictions

**ADVOCATES, NOTARIES and
 PATENT ATTORNEYS**

Main Office:

2 Gav Yam Center, 7 Shenkar St.,
 POB 12688, Herzlia 46733, ISRAEL
 Telephone: 972-9-970 9000
 Facsimile: 972-9-970 9001
 main@technolawgy.co.il

Haifa Office: Omega Center,
 Advanced Technology Center,
 Haifa 31905 ISRAEL
 Telephone: 972-4-855 0917
 Facsimile: 972-4-855 0918
 haifa@technolawgy.co.il

December 2, 2002
 MAIN OFFICE

VIA HAND

BOX TTAB – NO FEE

The Assistant Commissioner for Trademarks
 United States Patent and Trademark Office
 2900 Crystal Drive
 Arlington, Virginia 22202-3513
U.S.A.

Re: Applicant: NUR MACROPRINTERS LTD.
 Mark: NUR
 Serial No.: 75/638992
 Appeal Filed: April 18, 2002
 Atty. Dkt No.: 970027-12-03

Dear Sir:

Enclosed herewith is a Supplemental Brief on Appeal, with a Request to Remand the application to the Examining Attorney for consideration of amendment. If any fee is required, please charge our Deposit Account No. 500810.

Very truly yours,

Tally Eitan
 Avital (Tally) Eitan
 Attorney for Applicant
 Registration No. 129,566

c/o LANDON & STARK ASSOCIATES
 One Crystal Park - Suite 210
 2011 Crystal Drive
 Arlington, VA 22202-3709
 USA

israel\nur\12-03\fee-supp brief.doc (ye) (1/12/2002: 1)

02 DEC -2 AM 8:20